

DOCUMENT RESUME

03381 - [B2773991]

[Protest of the Award of any Contract for Mess Attendant Services]. B-190042. September 29, 1977. 1 pp.

Decision re: Palmetto Enterprises, Inc.; by Milton Socolar (for Paul G. Dembling, General Counsel).

Issue Area: Federal Procurement of Goods and Services (1900).

Contact: Office of the General Counsel: Procurement Law II.

Budget Function: National Defense: Department of Defense -
Procurement & Contracts (058).

Organization Concerned: Department of the Air Force: Little Rock
AFB, Jacksonville, AK.

Authority: 4 C.F.R. 20.2(b)(1).

The company asserted that the invitation for bids specifications were "without adequately established standards" and relied "to an unlawful extent on subjective requirements," making it impossible to obtain fair competition. The protest was untimely and not considered on its merits. (Author/SS)

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DECISION



Steven A. Debling
THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548

FILE: B-190742

DATE: September 29, 1977

MATTER OF: Palmetto Enterprises, Inc.

DIGEST:

Protest alleging specification deficiencies which is filed after bid opening is untimely and not for consideration on the merits.

By letter received in this Office on September 2, 1977, Palmetto Enterprises, Inc. (Palmetto) protested the award of any contract under invitation for bids (IFB) No. F03602-77-B-0048. The IFB was issued by the Department of the Air Force on July 1, 1977, for mess attendant services at Little Rock Air Force Base, Jacksonville, Arkansas.

Palmetto asserts that the specifications "are without adequately established standards" and "rely to an unlawful extent on subjective requirements" which makes it impossible to obtain fair and equal competition. Palmetto asserts further that certain requirements of the IFB conflict with other requirements of the IFB.

These allegations relate to deficiencies in the IFB. Section 20.2(b)(1) of our Bid Protest Procedures, 4 C.F.R. 20.2 (b)(1) (1977), provides that a protest based upon an alleged impropriety in any type of solicitation, which is apparent prior to bid opening or the closing date for receipt of initial proposals, must be filed "prior to bid opening or the closing date for receipt of initial proposals." The Air Force reports that bid opening occurred on July 27, 1977. Since the protest was not filed until September 2, 1977, the protest is untimely and not for consideration on the merits.

for *Milton J. Aorla*
Paul G. Dembling
General Counsel